

(b)(3):10 USC 424;(b)(6)

**From:** Michael Richter  
**Sent:** Tuesday, February 25, 2014 3:27 PM  
**To:** [REDACTED]  
**Subject:** Re: STATUS REPORT– Pre Publication Review Request from Mike Richter  
**Attachments:** frequently\_Asked\_Questions.pdf

(b)(3):10 USC 424;  
(b)(6)

I just reviewed DoD policy on pre-publication review and it is explicit that the material with which you have raised a concern is not a problem. As page 1 of the attached FAQs make clear, DoD only reviews "protected information gained while associated with the Department." As you know, I was a Russian foreign policy analyst and never dealt with anything related to al-Nashiri while in the IC. Thus, the information was not "gained while associated with the Department." Thank you.

VR/ Mike Richter

On Tue, Feb 25, 2014 at 1:38 PM, Michael Richter (b)(6)

wrote:

(b)(3):10 USC  
424;(b)(6)

Nice speaking with you. As I said, I was a Russian foreign policy guy in the IC.

(b)(3):50 USC 3024(i)

I am incapable of verifying or disclosing classified information regarding al-Nashiri; all I can do -- and all I am doing -- is referencing a document that anyone with an internet connection can see. Thanks, Mike

On Tue, Feb 25, 2014 at 12:38 PM, (b)(6)

wrote:

It is already with proceedings; i expect a publishing decision this week.

Sent from my iPhone

&gt; On Feb 25, 2014, at 12:35 PM, (b)(3):10 USC 424;(b)(6)

wrote:

&gt;

> I will be in touch. Also, for our edification, what is the deadline date for the Proceedings submission?

&gt;

&gt; Regards,

&gt;

&gt; [REDACTED]

&gt; Prepublication Review

&gt; Office of Corporate Communications

&gt; Defense Intelligence Agency

&gt;

&gt; (b)(3):10 USC 424;(b)(6)

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> -----Original Message-----  
> From: [REDACTED] (b)(3):10 USC 424:(b)(6)  
> Sent: Tuesday, February 25, 2014 12:31 PM  
> To: [REDACTED]  
> Subject: Re: STATUS REPORT-- Pre Publication Review Request from Mike Richter  
>  
> Ok. We'll work it out.  
>  
> Sent from my iPhone  
>  
>> On Feb 25, 2014, at 12:14 PM, [REDACTED] (b)(3):10 USC 424;(b)(6)

wrote:

>>  
>> Michael,  
>>  
>> Because the content warranted evaluation by third parties, I am unable to  
provide a firm ETA at this time. [REDACTED] (b)(3):50 USC 3024(i)

>>  
>> Regards,  
>> [REDACTED]  
>> Prepublication Review  
>> Office of Corporate Communications  
>> Defense Intelligence Agency  
>> [REDACTED] (b)(3):10 USC 424;(b)(6)  
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>> -----Original Message-----  
>> From: Michael Richter [REDACTED] (b)(6)  
>> Sent: Monday, February 24, 2014 1:20 PM  
>> To: [REDACTED] (b)(3):10 USC 424;(b)(6)  
>> Subject: Re: STATUS REPORT-- Pre Publication Review Request from Mike Richter  
>>  
>> Thank you for the note. If there's a problem, please let me know. Do you have  
an ETA? Best, Mike

>>  
>>  
>> On Mon, Feb 24, 2014 at 1:14 PM, [REDACTED] (b)(3):10 USC 424;(b)(6)

wrote:

>>  
>>  
>> Good Afternoon Michael,  
>>  
>> The product review is taking a little longer than expected. Just wanted to  
provide you an update on the case status.  
>>  
>> Regards,  
>>

>> [REDACTED]  
>> Prepublication Review  
>> Office of Corporate Communications  
>> Defense Intelligence Agency  
>> [REDACTED]  
>> (b)(3):10 USC 424;(b)(6)  
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>> -----Original Message-----  
>> From: [REDACTED] (b)(3):10 USC 424;(b)(6)  
>> Sent: Friday, February 07, 2014 4:15 PM  
>> To: 'Michael Richter'  
>> Subject: RE: FOLLOW-ON REQUEST-- Pre Publication Review Request from Mike

Richter

>>  
>> Thanks, Michael.  
>>

>>  
>> Regards,  
>>

>> [REDACTED]  
>> Prepublication Review  
>> Office of Corporate Communications  
>> Defense Intelligence Agency

>> [REDACTED]  
>> (b)(3):10 USC 424;(b)(6)

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>>  
>> From: [REDACTED] (b)(3):10 USC 424;(b)(6)  
>> Sent: Friday, February 07, 2014 11:22 AM  
>> To: [REDACTED]  
>> Subject: Re: FOLLOW-ON REQUEST-- Pre Publication Review Request from Mike

Richter

>>  
>>  
>> Hi [REDACTED] (b)(3):10 USC  
>> 424  
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>> (b)(3):50 USC 3024(i)

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>>

(b)(3):50 USC 3024(i)

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>>  
>> Let me know if you need anything else.  
>>  
>>  
>>  
>> Thanks, Mike  
>>

>> On Fri, Feb 7, 2014 at 11:13 AM,

(b)(3):10 USC 424;(b)(6)

wrote:

>>  
>> Good Afternoon Mr. Richter,  
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>>  
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(b)(3):50 USC 3024(i)

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>>  
>> Regards,  
>>

>>  
>> Prepublication Review  
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>> Office of Corporate Communications  
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>> Defense Intelligence Agency

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(b)(3):10 USC 424;(b)(6)

>> From: [REDACTED] (b)(3):10 USC 424;(b)(6)  
>> Sent: Tuesday, January 28, 2014 3:57 PM  
>> To: 'Michael Richter'  
>> Cc: [REDACTED]  
>> Subject: RE: Pre Publication Review Request from Mike Richter  
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>>  
>> Mike-  
>>  
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>>  
>> Hope all is well with you. We have your article. Will put it through the necessary review/clearance wickets and get back to you as quickly as possible.  
>>  
>>  
>> (b)(3):10 USC 424;(b)(6) whom I've copied on this note, will be handling our review.  
>>  
>> Thank you.  
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>> (b)(3):10 USC 424;(b)(6)  
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>>  
>> Prepublication Review  
>>  
>> Office of Corporate Communications  
>>  
>> Defense Intelligence Agency  
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>>  
>> From: Michael Richter [REDACTED] (b)(3):10 USC 424;(b)(6)  
>> Sent: Monday, January 27, 2014 5:34 PM  
>> To: [REDACTED]  
>> Subject: Pre Publication Review Request from Mike Richter  
>>  
>>  
>> Hi [REDACTED] (b)(3):10 USC 424;(b)(6) [REDACTED] (b)(3):10 USC 424;(b)(6)  
>>  
>> Long time no speak. Attached is an article I drafted and which is under consideration by "Proceedings," a publication of the US Naval Institute. [REDACTED] a senior executive at the USNI, and a former DIA SES, asked me to draft it for the publication's review. I don't think there are any issues with it, but thought it good form to show it to you for review.  
>>  
>>

>>  
>> Also, I did get an offer to work on a tv show with CBS...but then the offer  
was pulled. So nothing has panned out there...yet.  
>>  
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>>  
>> Best, Mike Richter  
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>>

## Frequently Asked Questions for Department of Defense Security and Policy Reviews

### **What is a security and policy review (pre-publication review)?**

A security and policy review, or pre-publication review, is the process by which information proposed for public release is examined to ensure compliance with established national and DoD policies, and to determine that it contains no classified, controlled unclassified, or export-controlled information. Once the information is cleared by a DoD component or the Office of Security Review (OSR), release to the public is the responsibility of the originating office or individual.

### **Why are these reviews necessary?**

The purpose of the security and policy review is to ensure information damaging to the national security is not inadvertently disclosed. Department of Defense employees and military service members have a lifelong responsibility to submit for pre-publication review any information intended for public disclosure that is or may be based on protected information gained while associated with the Department.

*Note: Public disclosure means disclosure to one or more persons who do not have the appropriate access authorization, security clearance, and need-to-know to receive protected information.*

### **Who must submit materials intended for publication for DoD component or OSR review?**

All current, former, and retired DoD employees and military service members (whether active or reserve) who have had access to DoD information or facilities, must submit DoD information intended for public release to the appropriate office for review and clearance. "DoD information" includes any work that relates to military matters, national security issues, or subjects of significant concern to the Department of Defense in general, such as spy novels or biographical accounts of operational deployments and wartime experiences. Publications about gardening, cooking, sports, crafts, and the like do not need to undergo pre-publication review if there is no association with the author's current or former affiliation with the Department of Defense.

*Reminder: Pre-publication reviews and protection of classified information are a lifetime responsibility. Your responsibility does not end when you end your association with the Department of Defense. Unauthorized disclosure of classified information (whether in a printed article, manuscript or book, on a blog, on a public website or provided to the media), even when it appears in the public domain, does not automatically result in declassification of the information. The information remains classified and must be protected until the U.S. government official with original classification authority (OCA) declassifies the information.*

## **What has to go through the security and policy pre-publication review process?**

Any DoD-related material that is intended for publication or dissemination must undergo security and policy pre-publication review. This includes, but is not limited to:

- Books
- Manuscripts and theses
- Biographies
- Articles
- Book reviews
- Audio/video materials
- Speeches
- Press releases
- Conference briefings
- Research papers
- Other media

## **How long will it take?**

Specific timelines are addressed in DoDI 5230.29, para 3, "Time limits." Note that manuscripts should be submitted for pre-publication review early enough to allow at least 30 working days for the review. (Actual review time will vary based on the length, type, and subject of the publication, as well as the number of coordinating organizations involved in the review.)

## **Where do I send my request and what should it include?**

1. DoDI 5230.29, para 2, "Submission Procedures" details what is required. DD Form 1910 and DD Form 1790 are used by active duty personnel and government officials. A letter should be submitted by someone in the private sector and will need to include the following:

- Name (\*see Privacy Act statement below).
- Contact information (address, phone number, and/or e-mail address).
- Information title or subject.
- Three unbound paper copies, or if submitted electronically, one soft copy, of each document in its final form submitted for review.
- Intended audience or publication venue (e.g., SIGNAL Magazine July 2011 issue; May 12, 2011 - U.S. Naval Academy: "The Military Today" briefing to midshipmen; or book prior to submission for publishing). Please include as much detail as possible.
- Specific deadline, if applicable (e.g., date of a conference for a speaking engagement, due date for submission of a research paper).
- Written consent from all-DoD affiliated personnel named in your material, if applicable.

\***PRIVACY ACT NOTICE:** Collection of this information is authorized in 50 U.S.C. § 402, 50 U.S.C. § 831-835, and Executive Order 13526. The information you provide will be used to verify your identity and review information in your submission that may require protection from public disclosure. Your disclosure of the requested information is voluntary. However, failure to furnish the requested information may delay the pre-publication review of your submission.

2. Completed packages should be forwarded to your DoD component organization for initial review.

#### **For DoD component reviews:**

Component Pre-publication Review Office \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone number \_\_\_\_\_  
Fax number \_\_\_\_\_  
E-mail address \_\_\_\_\_

3. Personnel assigned to the Office of the Secretary of Defense should forward packages to the Office of Security Review (OSR) at the following address:

Standard mail: Department of Defense  
Attn: Office of Security Review  
1155 Defense Pentagon  
Washington, DC 20301-1155

E-mail: NIPR -- secrevl@whs.mil  
SIPR -- ofoisrsl@whs.mil

Fax: (703) 696-4527

#### **How does the review process work?**

The DoD component's security review office (for security and policy review and pre-publication review office) will:

- Confirm the request qualifies as a pre-publication review.
  - Confirm that all required information is included in the package (name, publication venue, etc.).
  - Review the information to ensure it is unclassified and appropriate for public disclosure.
  - Forward to OSR all requests containing information defined under DoDI 5230.29, enclosure (3), paragraph 1.
  - Coordinate with other DoD components or offices as necessary.

**What will happen if I do not submit my material for a review?**

You may be subject to administrative or legal action.

**How do I check on the status of my submission?**

Contact your organization's pre-publication review office.

**Where can I find DoD policy concerning pre-publication reviews?**

Current DoD issuances governing this can be found at the OSR Website:  
[www.dtic.mil/whs/esd/osr/index.htm](http://www.dtic.mil/whs/esd/osr/index.htm)

These include the following:

[DoD Directive 5230.09, Clearance of DoD Information for Public Release](#)

[DoD Instruction 5230.29, Security and Policy Review of DoD Information for Public Release](#)

[DoD 5200.1-R, DoD Information Security Program](#)

**How do I contact the Office of Security Review?**

Telephone: (703) 696-4671

OSR Website: [www.dtic.mil/whs/esd/osr/index.htm](http://www.dtic.mil/whs/esd/osr/index.htm)

E-mail: [secrev1@whs.mil](mailto:secrev1@whs.mil)